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International Business Machines Corporation*

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH**

THE SCO GROUP, INC.,  
Plaintiff/Counterclaim-Defendant,

v.

INTERNATIONAL BUSINESS MACHINES  
CORPORATION,

Defendant/Counterclaim-Plaintiff.

**[PROPOSED]  
ORDER GRANTING IBM'S MOTION  
FOR LEAVE TO FILE ADDITIONAL  
DECLARATIONS IN SUPPORT OF  
MOTIONS FOR SUMMARY JUDGMENT**

Civil No. 2:03CV-0294 DAK

Honorable Dale A. Kimball

Magistrate Judge Brooke C. Wells

Based upon Defendant/Counterclaim-Plaintiff International Business Machines Corporation's ("IBM") Motion for Leave to File Additional Declarations in Support of its Motions for Summary Judgment, and for good cause appearing thereon,

IT IS HEREBY ORDERED that IBM may file up to three additional declarations in support of IBM's motions for summary judgment by no later than September 29, 2006.

DATED this \_\_\_\_ day of September, 2006.

BY THE COURT

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Dale A. Kimball  
United States District Court Judge

**CERTIFICATE OF SERVICE**

I hereby certify that on the 25th day of September, 2006, a true and correct copy of the foregoing was electronically filed with the Clerk of the Court and delivered by CM/ECF system to the following:

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